

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLINTON CALHOUN III,

Plaintiff,

v.

Civil Action No. 3:11-CV-1824-O-BK

DON DAVIS AUTOGROUP, INC.,
DON DAVIS NISSAN, INC., and
DON DAVIS AUTO, INC. (d/b/a
DON DAVIS TOYOTA),

Defendants.

ORDER

Pursuant to the District Court's *Order of Reference* filed April 1, 2012 (Doc. 61), Plaintiff's *Motion to Compel* (Doc. 59) has been referred to the undersigned for determination. A telephonic motion hearing was held on June 19, 2013. (Doc. 82). For the reasons stated on the record, Plaintiff's *Motion to Compel* is **GRANTED IN PART** as outlined below.

Request for Production No. 14

Defendants are **ORDERED** to produce, **on or before July 10, 2013**, from the personnel records of Jason Barling, (1) all records of discipline, whether formal or informal; (2) all comments on performance, whether positive, negative, or neutral, and (3) job description, if existing.

Request for Production No. 47-48

Defendants are **ORDERED** to produce, **on or before July 10, 2013**, documentation of all leave and/or vacation requests, whether denied or approved, made within 24 hours of the requested start of the proposed vacation or leave, submitted from January 1, 2008 through

December 31, 2012, by individuals employed as either as F & I Producer or Finance Director at Don Davis Toyota and Don Davis Nissan.

Request for Production No. 75

Defendants are **ORDERED** to produce, **on or before July 10, 2013**, all the documents related to the payment plans or commission plans from January 1, 2007 to the present for each temporary and/or permanent employee holding the position of Finance Director, Finance Manager, and/or F & I Producer at either Don Davis Toyota or Don Davis Nissan.

Request for Production No. 98

Defendants are **ORDERED** to produce, **on or before July 10, 2013**, documents reflecting Defendants' net worth for 2010 to the present. Any documents produced by Defendants in response to this Request are subject to the provisions of the parties' current protective order.

Request for Production No. 106

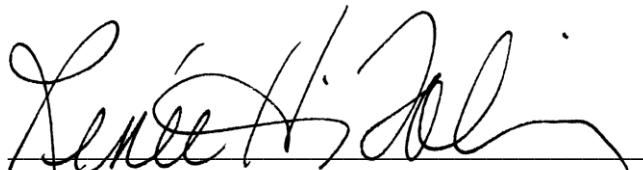
Plaintiff's Request for Production No. 106 is **DENIED** without prejudice.

Remainder is moot

Plaintiff's motion to compel is **DENIED AS MOOT** as to all other Requests for Production identified therein.

To the extent that relief is requested that is not explicitly granted herein, it is **DENIED**.

SIGNED June 20, 2013.


RENEE HARRIS TOLIVER
UNITED STATES MAGISTRATE JUDGE